

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBIN FORSLUND, TIMOTHY KELLY,
MATTHEW MENTING, DONALYN NORTH,
ROBIN RECTOR, ERIC OTTENHEIMER,
GAIL ROSSI and GREGORY WILLIAMS, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

R.R. DONNELLEY & SONS COMPANY,

Defendant.

Case No. 1:22-cv-04260

**DISTRIBUTION COMPLIANCE
DECLARATION OF PATRICK M.
PASSARELLA OF KROLL SETTLEMENT
ADMINISTRATION LLC**

Judge John J. Tharp, Jr.

I, Patrick M. Passarella, declare as follows:

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),¹ the Settlement Administrator appointed in the above-captioned case, whose principal office is located at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over twenty-one years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working under my general supervision.

2. Kroll was appointed as the Settlement Administrator to provide notification and administration services in connection with the Settlement Agreement. This declaration is submitted to provide the Court with an accounting of the distribution of the Settlement Fund in compliance with the Final Approval Order entered on March 15, 2024.

3. The Final Approval Order (a) approved the distribution and allocation of the Settlement Fund pursuant to the terms of the Settlement Agreement, (b) awarded Class Counsel \$326,568 in attorneys’ fees and \$1,248.69 for the reimbursement of litigation expenses, and (c) awarded Service Awards in the amount of \$3,000 to each of the eight (8) Class Representatives.

4. The Claims Deadline was February 28, 2024. As of October 17, 2024, Kroll has received and processed 169 timely paper Claim Forms, eleven (11) late paper Claim Forms, and 3,692 timely online Claim Forms, for a total of 3,872 Claims. Kroll rejected 1,591 Claims for reasons of either duplication, the claimant was not on the list of Class Members provided by Defendant, or claimant failed to cure any deficiencies of the Claim within the time allotted. The remaining 2,281 Claims were considered valid.

5. On November 10, 2023, Defendant paid \$979,704 into the Qualified Settlement Fund (“QSF”).

6. On May 13, 2024, Kroll paid from the QSF the sum of \$327,816.69 to Class Counsel for attorneys’ fees and expenses.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed in the Amended Settlement Agreement (the “Settlement Agreement”) entered into in this Litigation.

7. As of October 17, 2024, Kroll paid from the QSF Service Awards of \$3,000 to each of the Class Representatives Miki Bloodwolf, Robin Rector, Gail Rossi, Robin Forslund, Donalyn North, and Gregory Williams, totaling \$18,000. Service Award payments totaling \$6,000 remain outstanding for Class Representatives Timothy Kelly and Eric Ottenheimer.²

8. As of October 17, 2024, with approval of counsel for the Parties, Kroll has withdrawn \$146,131.10 from the QSF to cover Settlement Administration Costs.

9. On June 14, 2024, Kroll mailed 1,079 checks and disbursed 1,202 electronic payments to claimants, for a combined total of \$481,746.39. The 1,079 mailed checks totaled \$222,307.83. The 1,202 electronic payments totaled \$259,438.56. A copy of a sample check and accompanying letter is attached hereto as **Exhibit A**. Settlement checks were valid for a period of 90 days, through September 12, 2024.

10. On August 8, 2024, Kroll mailed forty-five (45) checks totaling \$10,208.24 for electronic payments that were unsuccessful.

11. As of October 17, 2024, 1,091 checks have been cashed totaling \$225,260.37 and thirty-three (33) checks remain outstanding totaling \$7,255.70. At this time, all outstanding checks are void.

12. As of October 17, 2024, \$2,521.87 in interest has accrued in the QSF.

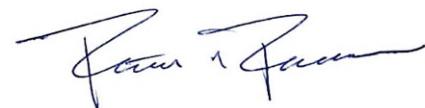
13. Based on the above, Kroll calculates that approximately \$9,787.39 will remain available in the QSF for distribution to the *cy pres* recipient(s). A reconciliation of the QSF is as follows:

- \$979,704: Deposited into the QSF
- \$2,521.87: Interest accrued
- (\$327,816.69): Class Counsel's attorneys' fees and expenses
- (\$18,000): Service Awards paid
- (\$146,131.10): Settlement Administration Costs paid to Kroll

² Despite our best efforts, Kroll has been unable to obtain Form W-9's for these remaining two Class Representatives in order to issue their Service Award payments.

- (\$481,746.39): Value of checks and electronic payments issued
- \$7,255.70: Value of uncashed checks
- (\$6,000): Outstanding Service Awards to be paid
- \$9,787.39: Estimated amount available for *cy pres* distribution

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on October 17, 2024, in Wendell, North Carolina.



PATRICK M. PASSARELLA

Exhibit A

Forslund v. R.R. Donnelley
c/o Kroll Settlement Administration LLC
PO Box 225391
New York, NY 10150-5391

Check No.: [REDACTED]
Check Amount: \$ [REDACTED]
Check Date: 6/14/2024

Unique ID: [REDACTED]



Unique ID: [REDACTED]

The attached check represents your full and final payment in connection with *Robin Forslund, et al. v. R.R. Donnelley & Sons Company, Case No. 1:22-cv-04260*.

This payment is tendered to you as a Class Member in consideration for your release from liability of Defendant and other Released Parties as set forth in the Settlement Agreement. This payment is final and conclusive.

Please be advised that you have until **September 12, 2024**, to cash and/or deposit the check. Thereafter, your check shall be deemed void, and you will not be entitled to receive any payment under this Settlement.

You should consult with your tax advisor to determine the tax consequences, if any, of this Settlement payment to you.

All inquiries and address changes should be in writing, reference your Unique ID or check number, and be forwarded to the Settlement Administrator at: Forslund v. R.R. Donnelley, c/o Kroll Settlement Administration LLC, PO Box 225391, New York, NY 10150-5391. You may also contact the Settlement Administrator by calling the toll-free number: (833) 747-4224.

Thank you,
Kroll Settlement Administration LLC
Settlement Administrator

Forslund v. R.R. Donnelley
c/o Kroll Settlement Administration LLC
PO Box 225391
New York, NY 10150-5391



CHECK NO. [REDACTED]

PAY: [REDACTED]

DATE:
6/14/2024

AMOUNT:
\$ [REDACTED]

PAY
TO THE
ORDER
OF:



VOID AFTER
September 12, 2024

AUTHORIZED SIGNATURE